

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: GORDON LEE DEFREESE, JR. and : CHAPTER 13
LARISSA IRIS DEFREESE :
Debtors :
: :
JACK N. ZAHAROPOULOS :
STANDING CHAPTER 13 TRUSTEE :
Movant :
: :
vs. :
: :
GORDON LEE DEFREESE, JR. and :
LARISSA IRIS DEFREESE :
Respondents : CASE NO. 5-23-bk-02855

TRUSTEE'S OBJECTION TO SECOND AMENDED CHAPTER 13 PLAN

AND NOW, this 28th day of June, 2024, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced Debtors' Plan for the following reason(s):

1. Debtor(s)' Plan violates 11 U.S.C. §§ 1322(a)(1) and 1325(b) in that the Debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required. More specifically,

Trustee alleges and avers that Debtor(s)' disposable income is greater than that which is committed to the Plan based upon disposable income on Schedules I and J and specifically disputes the following amounts:

- a. Excess disposable income. Debtors are surrendering their 2022 Ram Truck and their net income will be \$1,593.00 higher after Schedule J is amended to remove the payment for this vehicle.
- b. Upon review of pay advices for Debtor 1 for 11/19/2023 to 1/20/2024, the average gross wages are \$1,100.00 more than the amount reported on Schedule I.
- c. Debtors' aggregate expenses for food and housekeeping supplies, clothing, laundry, personal care and entertainment are not reasonable for their household size.

d. Debtors' have a relative that resides with them and Schedule I does not list contributions to household expenses by the Relative.

WHEREFORE, Trustee alleges and avers that Debtors' Plan cannot be confirmed and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of Debtor(s) Plan.
- b. Dismiss or convert Debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Jack N. Zaharopoulos
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

BY: /s/Douglas R. Roeder
Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 28th of June 2024, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Michael Cibik, Esquire
1500 Walnut Street, Suite 900
Philadelphia, PA 19102

/s/Tammy Life
Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee